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Developing institutions of governance and public administration in Africa

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Summary

"Africa faces grave challenges and the most urgent of these are eradication of poverty and the fostering of socio-economic development, in particular, through democracy and good governance."

New Partnership for Africa's Development, Declaration on democracy, political, economic and corporate governance, Durban, South Africa, July 2002

Africa also faces a number of other challenges which must be overcome in order to achieve poverty eradication and socio-economic development. These challenges, as expressed in the above declaration adopted by the African heads of State meeting in Durban, South Africa, as well as in long-term strategic vision documents of many countries in Africa, include the following: enforcing the rule of law; ensuring equity and equality, equal opportunity and individual freedoms for all citizens before the law; practising just, honest, transparent, accountable and participatory government and probity in public life; combating corruption, which both retards economic development and undermines the moral fabric of society; restoring stability, peace and security, including building capacity to prevent, manage and resolve all conflicts; ensuring respect for human rights, including protection of the vulnerable, ethnic minorities, women and children; and promoting gender equality to tap the potential of women. The magnitude and complexity of the challenges require the adoption of sound governance and public administration institutions and practices.

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This will entail strengthening institutions of governance and public administration at the national level, including: redefining the mission of the State and grounding governance and public administration in local conditions; developing, strengthening and popularizing national constitutions and constitutionalism as agreed foundations for good governance and public administration within the rule of law; participatory design of comprehensive nation-wide programmes for strengthening governance; strengthening public sector institutions (legislative institutions, the judiciary, the civil service); adopting institutions in the public service that ensure partnerships, adaptability, citizen-orientation and information-sharing; strengthening institutions of participatory democracy and local governance; and harmonizing traditional and modern institutions of public administration.

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Developing institutions of governance and public administration in Africa

I. Introduction

1. Africa needs to respond adequately to the challenges confronting it on the socio-political and economic fronts. There is growing consensus on the African continent that in order for this to happen, Africa must strengthen its governance and public administration institutions. The size and complexity of the challenges require the adoption of sound governance and public administration practices, practices which are only possible within the context of viable institutions. The present report is structured around four basic conceptual premises:

(a) The development of institutions is always driven by purpose and by contextual concerns. This should be the same in the case of developing governance and public administration institutions in Africa at local, national, regional and continental levels. The overriding purpose for developing governance and public administration institutions must be to establish and/or nurture institutions to enable them to support the development process and to meet the challenges confronting the continent and its people. Therefore, in the case of Africa, revitalizing governance and public administration through developing its institutions entails not only strengthening the institutions that already exist, but also remodelling them and searching for and developing new forms that fit the unique situations of each country or region's historical, cultural and political reality in a way that can support the realization of the development aspirations of the people. Such aspirations may be expressed in national development plans, regional strategic development visions, such as the New Partnership for Africa's Development (NEPAD), or even global goals such as the Millennium Development Goals;

(b) Institutions play a critical dual role, first in facilitating the articulation of a country's or region's development objectives and aspirations, and then in translating them into action. Thus whether it is for strategic thinking/visioning and long-term policy-making or for actual implementation or evaluation and control, the existence and capabilities of institutions for crystallizing and guiding collective efforts is the critical centre, without which little can be achieved;

(c) The significance of institutions lies in their attributes, the essential ones being: focus on the mandates, missions and objectives to be accomplished, as well as the wider and deeper challenges to be overcome; the structures that identify groups and individuals in the institution by their roles and responsibilities as well as by the degree of authority vested in each office; the system of rules governing the behaviour of the formal organization as well as that of the groups and individuals operating within it; the culture and "traditions" that underpin or rationalize the behaviour of the institution and its constituent parts;

(d) In a development context, where the only desirable constant is positive change, institutions develop in response to their perpetual struggle to maintain a balance between the pressures for change and the need for stability.

2. The present report explores the challenges facing the African continent that require responses related to developing institutions of governance and public administration at continental, regional, national and local levels. It delineates factors

that could support the durability, sustainability, resilience and strategic visioning/innovative strength, goal-attainment capacity as well as change orientation of governance and public administration institutions in Africa and makes suggestions and recommendations that could contribute to more favourable development of the institutions on the continent.

II. Socio-politico-economic challenges in Africa that require responses of an institutional nature

3. Whether governance and public administration institutions will strengthen or weaken depends on a combination of factors, including: (a) the degree of consensus on the underlying values and purpose of the institutions and the challenges to be overcome; (b) the level of political commitment to their values and their original purpose; (c) to what degree the institutions (including their purposes, operating structures and rules) are perceived by those associated with them as legitimate and deserving of the collectivity's allegiance; (d) the capability of the institutions to balance the forces of modernity and those of tradition (modernity/tradition ratio); (e) the ability of the institutions to adapt to change, as well as their receptivity to new ideas and managing diversity; (f) the extent to which the institutions are dependable in coordinating the resolution of possible conflict.

4. Given the above, any efforts to develop institutions of governance and public administration in Africa must be based on a clear and agreed understanding of the challenges that such institutions are intended to overcome. The first consensus that must be reached should be on those challenges facing the continent that require a response by way of institutional development in the area of governance and public administration. The overarching challenge in Africa is how to ensure that the continent and its people are put firmly on an irreversible path to poverty eradication and sustainable economic and human development.

5. This challenge is linked to a number of other challenges that must be overcome as means and landmarks in pursuing the objective of poverty eradication and socio-economic development for the entire continent. Most of these challenges are expressed in the declaration adopted by the African heads of State at their meeting in Durban, South Africa, entitled "Declaration on democracy, political, economic and corporate governance", as well as in long-term strategic vision documents of many countries in Africa.[1] They include the following challenges, which are related to practising democracy and good political governance:

- Enforcing, on a sustainable basis, the rule of law
- Ensuring equity and equality of all citizens before the law and individual liberty, equal opportunity for all as well as collective freedoms
- Practising just, honest, transparent, accountable and participatory government and probity in public life
- Combating corruption, which both retards economic development and undermines the moral fabric of society
- Restoring stability, peace and security, including building capacity to prevent, manage and resolve all conflicts

- Ensuring respect for human rights, including protection of the vulnerable, ethnic minorities, women and children
- Promoting gender equality to tap the potential of women to participate on an equal footing with men in socio-politico-economic development.

6. In addition to the above, there is the challenge of securing the commitment of political leadership and "follower-ship" at the continental, regional, national and local community levels to the same challenges identified in the above-mentioned declaration. Given that the raison d'être of institutions lies in their mandates, missions and objectives as well as the challenges for which they were established, efforts to support the development of institutions of governance and public administration in order that they may promote the struggle for poverty eradication and socio-economic development must begin by focusing on creating and sustaining consensus on the challenges. In Africa, at the continental level, consensus on the challenges has been progressively achieved at the level of leadership (heads of State) as provided in the above-quoted Declaration. In some of the countries the consensus has also been reached to some degree on the same issues. There must, however, be direct congruency between consensus at national, regional and continental levels. The consensus reached at continental level must be seen to reflect the will of the people at each country level.

III. Historical perspectives and trends of governance and the institutional development of public administration in Africa

7. A search for appropriate strategies for developing institutions of governance and public administration in Africa should start from an accurate understanding of the historical perspectives of institutional development on the continent. It is understood that the problem of governance and the institutional development of public administration in Africa concerns both inadequacy and absence. On one hand, the existing institutions have within them weaknesses that must be corrected in the process of developing their capacities. On the other hand, there are areas where institutions do not exist, or exist in inadequate numbers, thereby calling for institutional creation as part of capacity-building. This is generally so in the case of institutions that would create strong collaborative and participatory linkages among government, civil society, the private sector and the citizenry in the areas of governance and public administration.

8. Developing institutions of governance and public administration is fairly complex. First, governance[2] is a concept that is wider than (but which includes) public administration. Taking this into account, there is need to guard against considering only institutions of government. The discussion must include institutions that facilitate collaboration, involvement, consultation and participation of all stakeholders in all sectors (public sector, private sector and civil society) in the act of governance. Second, institutions are social constructs that encompass not only temporal structurally conditioned behaviour but also tendencies that are products of the socio-politico-economic and historical conditions of the context in which they operate. In this case, discussing institutional development in Africa must be done in a way that permits examination not only of the historical conditions that shaped them, which may offer some explanation as to their strengths or weakness, but also of future perspectives, which create imperatives and directions for

developing appropriate institutions to lead African countries into the twenty-first century. Lastly, there is need to guard against the temptation to write about governance and public administration institutions in Africa as if Africa was one homogeneous entity. The reality is that institutional development in the various countries of Africa is at different stages, and this must be taken into account, especially when looking at institutions at the national and local levels. Institutions of democracy, such as political parties for example, are not developed at the same level in South Africa as they are in the democratic Republic of the Congo. While developing governance and public administration at the continental level (African Union (AU)) may be looked at as one solid homogenous endeavour, at the national level it requires a case-by-case analysis.

9. The genesis of public administration in the majority of African countries lies in the colonization of the continent. In pointing this out, the report presents it as a historical fact, without seeking to engage in whether it was wrong or right, fair or unfair. Basically, under colonialism, sufficient bureaucratic structures of administration were established in order to enable the system to accomplish its mission of ensuring orderly governance to carry out resource exploitation:

> "Colonialism, to a great extent, supplanted or suppressed the various traditional administrative organizations, and with them their administrative cultural values. In most parts of Africa, the traditional administrative organizations were done away with and replaced by bureaucratic organizations styled after the system in the mother country. In this the civilizing mission of the colonial masters had limited scope; it was mainly concerned with pacifying the natives for purposes of facilitating exploitation of natural resources. As such, little investment was put into the development of complicated administrative infrastructures; the administrative systems consisted of skeletal organizations, only large enough for the purposes of extracting revenues and ensuring orderly governance."[3]

10. Colonization imposed legal, political and administrative institutions and systems alien to the existing African local realities. After independence, most African countries did not have stable political administrative institutions. Contradictions between liberalized politics (for example, multiparty politics immediately after independence) and socialist policies culminated in single-party authoritarian regimes relying heavily on "strong men". Later many of these regimes were toppled by military coups, further consolidating the culture of strong personalities as the basis for the exercise of power and public authority. Institutions promoting representation, consultation, involvement and participation of the people in governance and public administration did not have room to grow. This is the reason behind the call for a second liberation in Africa. In some African countries second liberation struggles have had a degree of success, but in others various groups are still engaged in power struggles, which have given rise to violent conflicts on the continent.

11. At the national level, in many African countries, as a result of the personalization of power and the neo-patrimonial nature of the State, the tendency has been towards institutional decay rather than development. By definition, a neo-patrimonial system develops when political actors do not recognize the State as an institution and the power to rule resides in a person rather than an office. There is little division between public and private spheres, since they both largely coincide in

one person, the dictator. Thus, there are no formal mechanisms of competition or participation. Rather, politics is practised as a zero-sum game with a winner-take-all, something that perpetuates violent conflict and power struggles.

12. There have been prior attempts to remedy the situation, although most of these attempts have tended to overconcentrate on building the capacity of public administration as an instrument of State action without paying attention to the wider issues of governance that determine the effectiveness of public administration in the first place.

> "It has been rightly said that, for Africa as a whole, the 1950s and 1960s were years of political and economic advances, the 1970s years of relative stagnation, and the 1980s were years of decline or the 'lost decade'. The 1990s have been a mixed bag (Kiggundu, 2000). Gains in Uganda, Ghana, South Africa and Mozambique were largely offset by losses in the form of civil wars, human rights abuses and state disintegration in Somalia, Angola, Liberia, Sierra Leone, Rwanda and the Congos".[4]

13. The *World Public Sector Report 2001*, published by the Department of Economic and Social Affairs, points out that the "unparalleled severity of these repeated crises has served both to highlight the pressing need for action in public service reform, and to illustrate the perils of hastily conceived and poorly executed blanket solutions which, far from being a cure, quite often, on the contrary, aggravated the disease. Such were the Structural Adjustment Programmes (SAPs) pursued by lending international institutions during the 1980s, in an attempt to address the problems generated by the global recession, low commodity prices and the ensuing indebtedness of several African nations".[5] These reforms further weakened State institutions that were already fragile. It should be emphasized that the main fault of such measures resided in not paying attention to strengthening institutions of governance. It was wrong to have assumed that it is possible to have effective public administration within the context of poor governance.

14. The historical significance of this is that strengthening public administration in Africa would now entail, first and foremost, indigenizing its institutions, not only in terms of their missions and objectives, but also their behaviour and responsiveness to the needs of the continent and its people. In addition, public administration must be considered within the context of strengthening governance institutions that promote and support people participation.

IV. Strengthening institutions of governance and public administration at the national level

15. Africa, in its current effort to redefine itself and shape a place for itself in the globalized world, must start by looking at the entire spectrum of governance rather than at the narrow realm of public administration. It must be recognized that public administration cannot be strengthened within the context of decaying governance. African countries must admit that, in order to revitalize governance and public administration on the continent, there has to be a process through which basic questions are asked and answered: (a) if revitalization means bringing back to active life, what point in the history of modern States in Africa can be taken by Africans as a moment of glory in governance and public administration to be used as a model

for the revitalization of their institutions? and (b) which institutional set-up in the traditional governance of the countries of the continent can be revived and integrated in the efforts to strengthen governance and public administration?

A. Redefining the missions of State, grounding governance and public administration in local conditions

16. It must be reiterated that the beginning point in strengthening governance and public administration institutions is to specify and agree upon their mandates, missions and objectives, as well as the challenges they are intended to address. The aspirations of the entire country, in terms of socio-politico-economic development and the challenges that stand in the way of the attainment of these aspirations, must be analysed, diagnosed, discussed and agreed through consultations and participation of a cross section of the population. At the same time, the sharing of responsibilities and means of collaboration and participatory action among all sectors (public, private and civil society sectors) must be determined. In this way, the missions of the State will be redefined, understood and agreed upon by all actors. When the redefinition of missions is done in a participatory way, involving all sectors, chances become greater for each governance actor to know what the others are doing and how collaboration should be approached.

B. Developing, strengthening and popularizing national constitutions and constitutionalism as agreed foundations for good governance and public administration within the rule of law

17. One of the elements of governance and public administration that have characterized most African countries since independence are fragile and unstable constitutional arrangements and unconstitutional practices in the conduct of national leadership and management of public affairs. There is a need to explore the explanations for this fragility and instability in national constitutions. The explanation may reside in their structures and provisions or in the weaknesses of institutions that are expected to ensure respect for the constitutions. It may also reside in the behaviour and attitudes of political leaders concerning constitutionalism. National constitutions that galvanize consensus over major issues of national socio-politico-economic interests are critical to the survival of any institutional arrangements that may be put in place. Constitutions are also the basic springboards for the practice of the rule of law. Institutional capacity and competencies must be developed in the management and operation of national democratic institutions, including national assemblies, the judiciary and the executive branch. However, the first strategy for strengthening the institutional foundations of good governance in Africa is greater appreciation and acceptance of the philosophical and legal foundations of the rule of law, both by the rulers and the people. The State needs to be seen not as a network of relations built around a strongman, but as a set of functions to be performed in a neutral and objective way.

18. There are a number of ways to create a national constitution, depending upon the particularities of a given country and the aspirations of its people. It is difficult to pinpoint one particular way of making a national constitution that can ensure durability and stability. Recent experiences in Africa (for example, South Africa,

Uganda, Ethiopia and Rwanda) show that when a constitution is made through consultative, participatory and inclusive methods, which bring together all the socio-politico-economic forces of the country and consolidate agreement on the rules of the game, putting the interests of the people at the centre of everything, the resulting constitution is more likely to be durable. The significance of this is that institutional development starts with constitutional foundations that provide for the existence of these institutions. We need to distinguish constitutions, which are legal texts that provide institutional arrangements and rules of the game, from constitutionalism, which is the behavioural and practical aspect of conducting public affairs following and respecting the provisions of the constitution. The problem regarding constitutions in many African countries is not so much of absence of national constitutions but rather disrespect for their provisions.

19. In the light of the failure of many Governments, national convening processes to elicit the aspirations of the citizenry, followed by arduous constitutional formation and reformulation processes are being undertaken in many countries to adapt to new more appropriate forms of government. This approach is generally required in the process of creating national constitutions because constitutions are not only long-term strategic national outlooks but are also perennial in nature.

20. Mechanisms that express the agreed articulation of citizens' interests (that is, a system of political parties) and indicate how to develop a culture of pluralism, as well as provisions that create adequate checks and balances among the legislative, executive, and judiciary branches of government, need to be enshrined in national constitutions. One of the problems Africa has been facing is that of "one strong man" regimes that have stifled participatory democracy.

C. Participatory design of comprehensive nationwide programmes for strengthening governance

21. One of the pitfalls in the efforts of African countries to build the capacity of the public sector has been the piecemeal approach, which has produced uncoordinated and uncollaborated action and very little in terms of the desired institutional strengthening. At the Third United Nations Conference on the Least Developed Countries, this issue was discussed and the following conclusion reached:

> "Any meaningful public administration effort should emanate from and be an integral part of a nation-wide programme for promoting and strengthening good governance, peace and stability. Despite this, many least developed countries still use uncoordinated rule application systems and ineffective welfare structures that stifle the private sector and civil society. The development performance in the least developed countries will not improve if their Governments are reluctant to re-examine and redefine the role of public administration and how it relates to private sector, civil society and global actors — not only in development but also in the delivery of services and maintenance of stability."[6]

22. It is important to distinguish the type of participatory analysis, diagnosis and planning of governance and public administration that is being proposed in the present report from the centralized development planning characteristic of African countries in the years following independence. The failure of the national

development plans formulated in the 1960s and 1970s to deliver on their promises can be attributed largely to the gap between the lofty economic growth ambitions of the modernizing elite and the basic survival concerns of the vast majority of their followers. The assumed monopoly of knowledge of local needs, challenges and means to meet them on the part of the bureaucratic elite and their single party adherents led to the exclusion of the local population from the process of planning how to determine their socio-politico-economic development. The current growth of civil society demands for full participation in the analysis of problems and the plans for addressing those problems calls for a participatory approach to planning. The need for participation and consultation is already provided for in article 9 of the Charter of the Public Service in Africa:

> "It shall be the responsibility of the administration to ensure that the mechanisms of participation and consultation involving civil society and other stakeholders are effectively put in place through consultative forums and advisory bodies."

23. Moving African States towards "smart governments" will require adopting consultative processes in articulating national long-term vision and strategic frameworks for development. It will require instituting inclusive participatory decision-making practices to ensure re-alignment between what Governments do and what the people aspire to.

V. Strengthening public sector institutions

A. Legislative institutions

24. The functions of the legislature include representation of the people, law-making, and oversight of the executive. For this reason, the legislature is a very critical institution in representative democracy, defending the interests of the people, making just laws to provide a basis for the rule of law and ensuring accountability of the executive, especially in the way it deploys public resources, power and authority. Experience in most African countries shows that in many countries the legislature has suffered under an over-blown executive branch, especially its coercive wing (the military). One of the institutions that, therefore, needs to be revamped and strengthened is the legislature in order that African people may be brought back into the arena of governance and public administration. Some of the measures that could be taken to strengthen the legislatures include:

(a) Enshrining the nature and functions of the legislature in the national constitution, providing adequate power and authority to the legislature, giving it sufficient constitutional legitimacy and clout to control the excesses of the executive branch;

(b) Establishing good working methods for the Parliament and its sub-units, including management of time, legislative agenda and disciplinary rules;

(c) Enhancing the legislative and management skills of legislatures and their aides, including skills for drafting legislation, investigative techniques for committee work and appropriate knowledge of the budget and budgetary process;

(d) Structuring or re-structuring the organizational set-up of parliamentary committees and building their capacity for process skills, such as negotiation and mediation, in order to improve their effectiveness;

(e) Developing greater awareness of the work and significance of the legislature among the public by, for example, broadcasting parliamentary sessions on national radio and television, keeping most of the legislative and committee sessions open to the public and providing formal and informal education on the role and importance of the legislative branch;

(f) Strengthening the outreach and communication of legislators with their constituencies via the establishment of local, staffed constituency offices, the use of information and communication technologies for conveying opinions, as well as organizing other interactions with legislators, such as town meetings in their districts and participation in other forums;

(g) With efforts of regionalization and regional integration (especially the establishment of the African Parliament), national legislatures need to be linked to regional and continental legislatures so that there is no contradiction between the legislatures at different levels and the principle of subsidiarity is respected.

B. Strengthening the judiciary

25. Reforms to build an independent and effective judiciary are critical to ensuring the rule of law, building a working system of checks and balances to guarantee fundamental rights and solving disputes among different levels of government as well as various socio-politico-economic actors. Whether it is in promoting respect for human rights, promotion of investment or in the protection of life and property, an independent and competent judiciary is indispensable. One of the factors contributing to the inability of African countries to attract either local or foreign investment is the inadequacy of judicial systems to provide frameworks and predictable dispute resolution mechanisms through which investors can be assured of the security of their investments. The processes and practices of a judicial system must be made relevant and understandable within the environment it serves, and must also be accessible to all, including the poor. The following are some of the measures that need to be taken to strengthen the judiciary:

(a) Specific provisions for the training, recruitment, status and career of all judges and court officials should be clearly defined to guarantee that the judiciary is independent from interference either from political bodies or contending parties. In general, long-term appointments or lifetime tenure, merit-based promotions, adequate salaries and parity of esteem with other government officials are key to ensuring the independence of the judiciary as a public institution;

(b) Establishment or improvement of the operation and working modalities of the judicial system, including the introduction of alternative dispute resolution;

(c) Elaboration of a code of ethics with modalities for implementation, sanctions and awareness-raising among the judicial community as well as the public;

(d) Ensuring a satisfactory working environment, adequate infrastructure and building facilities;

(e) Introduction of information and communication technologies to facilitate working modalities and internal operations, especially concerning records;

(f) Establishing competent and corruption-free commercial courts that can settle business disputes expeditiously.

26. Within the current context of globalization and regional integration, systems and institutions of the judiciary must take into account international legal frameworks and laws so that dispute resolution mechanisms can operate on a level playing field.

C. Strengthening the civil service

27. One of the institutions that operationalize and sustain State action is the civil service. Governments all over the world have historically engaged in efforts to make their civil service institutions effective. African countries are no exception. The first requirement for effective institutions of the civil service has already been identified, acknowledged and enshrined in the Charter for the Public Service in Africa. This is the fact that the civil service should be strong, based on accepted principles of neutrality, legality and continuity, as well as on the fundamental values of professionalism, ethics, integrity and moral rectitude. These should form the institutional behavioural aspects of the civil service on the continent. African Governments and their development partners should work hand in hand to actualize the Charter for the Public Service in Africa as a way of strengthening the institutions of the civil service on the continent.

28. The civil service is critical to the development process, especially since it is at the centre of planning, implementation, monitoring and evaluation of the delivery of the critical public services such as health, education, agricultural extension, environment protection, which are themselves at the core of reducing poverty. In other words, countries that do not have an effective civil service are likely to lag behind in the achievement of the Millennium Development Goals.

29. The civil service is an institution composed of sub-institutions. Therefore, in developing its capacity, it must be determined which sub-institutions need to be strengthened in which way. Some institutions are for coordination, others are for control, and yet others are operational. Systems and structures need to be devised and implemented following not only the way that ministries are differentiated, but also the way that they are coordinated to work together. It is difficult to prescribe one way of organizing government ministries, but whichever way is adopted, the functions should be conducted in a coordinated fashion, following the principles and values provided in the Charter for Public Service in Africa.

D. Adopting institutions in the public service that ensure adaptability, citizen-orientation, information-sharing and partnerships

30. Over the past years there has been a growing consensus that no single actor, private or public, has the capacity alone to solve the complex and diversified problems with which societies are now confronted. Just as the concept of the omnipotence of the State was erroneous, reality has proven that while the market has great potential, without solid institutions and regulations it is capable of generating

dangerous and far-reaching imbalances. Partnerships between the State, the private sector and civil society institutions have proven to be very important in both social service delivery and policy-making processes in many areas such as the protection of the environment, work conditions and social safety nets. Such success is predicated on building and maintaining an institutional framework open to diversity, which facilitates stakeholders' contributions to policy-making and evaluation processes. Although this is not always easy, evidence has shown that success in modern government depends largely on widening the basis of citizen participation and galvanizing consensus and support for broadly shared objectives.

E. Adaptability and citizen orientation

31. In order to foster a new relationship between civil servants and citizens, State institutions ought to be more open and flexible in the face of change, and, in particular, more accountable to the public at large. Greater attention is being given to developing a more service-oriented spirit among civil servants and to ensuring effective and transparent mechanisms for citizens to channel their complaints concerning poor, inefficient or denied access to public services. Flexible structures and processes are now favoured over the more traditional and bureaucratic patterns. This is important because the ability of Governments to include and synergize, as well as their disposition to listen and respond, are almost universally accepted as an important source of policy legitimacy.

F. Information-sharing

32. An important mechanism to promote the development of public administration institutions that operate in an open, transparent and efficient way, including in the area of public services, is for countries to share best practices, knowledge and information on successful experiences in public administration reform, including experience in the area of public service delivery. Information sharing and South-South cooperation is a powerful tool to foster good governance and development. In this respect, General Assembly resolution 50/225 on public administration and development underlined the importance of enhancing international cooperation in the field of public administration, including South-South and interregional cooperation. Furthermore, General Assembly resolution 57/277 recommended that particular emphasis be devoted to the exchange of experience.

VI. Strengthening institutions of participatory democracy and local governance

33. One of the problems confronting African countries concerns how to put structures in place that promote and support the participation of the people in determining the direction and content of their socio-politico-economic development. While the introduction of participatory democracy is not in question for many of the countries, the issue of how to actualize it is still not settled. One of the measures being implemented by some countries in this regard is decentralized governance. In general, decentralization is being implemented to ensure political, economic, social, managerial/administrative and technical empowerment of local populations to fight

poverty by participating in planning and management of their development process. The major objectives would be:

(a) To enable and reactivate local people to participate in initiating, making, implementing and monitoring decisions and plans that concern them, taking into consideration their local needs, priorities, capacities and resources by transferring power, authority and resources from central to local government and lower levels;

(b) To strengthen accountability and transparency by making local leaders directly accountable to the communities they serve and by establishing a clear linkage between the taxes people pay and the services that are financed by these taxes;

(c) To enhance the sensitivity and responsiveness of public administration to the local environment by placing the planning, financing, management and control of service provision at the point where services are provided and by enabling local leadership to develop organizational structures and capacities that take into consideration the local environment and needs;

(d) To develop sustainable economic planning and management capacity at local levels that will serve as the driving motor for planning, mobilization and implementation of social, political and economic development;

(e) To enhance effectiveness and efficiency in the planning, monitoring and delivery of services by reducing the burden from central government officials, who are distanced from the point where needs are felt and services delivered.

34. Countries that have introduced strong doses of local governance are taking decentralization as an instrument for people's political empowerment, a platform for sustainable democratization and a structural arrangement for mobilization of economic development energies, initiatives and resources. It is hoped that through decentralization efforts, institutions will evolve that are not only democratic, accountable and transparent but also efficient and effective in service provision and community development.

35. Institutions that need to be strengthened at the local level in this sense are local councils, local executives and civil service structures, as well as structures that ensure collaboration, involvement and engagement of local actors (socio-politico-economic) in the management of public affairs at local levels. In addition, institutions that ensure coordination between the central government and local governments need to be established/strengthened.

VII. Harmonizing traditional and modern institutions of public administration

36. All African countries have a strong and rich history of traditional leaders and institutions. They have evolved differently over time due to their diverse historical legacies, diverse adaptation to internal and external pressures, differing interactions and relationships with the colonizing Power and different relationships developed with new governments after independence. While each part of Africa and, indeed, each part of each country has evolved in a unique way in this respect, generally speaking, traditional leadership and traditional institutions coexist in an uneasy equilibrium with the modern institutions of the State. Accommodating the two in

terms of defining their respective spheres of authority, delineating responsibility and competency in traditional spheres, such as family, marriage, land and certain criminal and civil matters, remains in many instances incomplete and needs to be worked out in each specific context. What should be the role of traditional institutions in the practice of modern governance and public administration in a world that is increasingly globalized? This should be a question to be answered by Africans themselves after careful study, discussion and agreement as to which traditional institutions need to be kept intact, redefined or discouraged. What role these traditional institutions can play in governance and development and how they can relate to the other institutions has to be clearly sorted out.

37. There are examples where African countries have adopted traditional institutions to the needs of modern public administration with some success. Uganda reintroduced kingdoms and traditional leadership institutions but conferred on them missions related to economic development and cultural development. Rwanda introduced the "*gacaca*" courts to meet challenges brought about by the genocide of 1994. It is hoped that the "*gacaca*" courts, which are traditionally more understood by the common man and woman, will not only enable the State to expedite the handling of some genocide-related cases but also facilitate reconciliation at the grass-roots level. South Africa has been engaged in efforts to establish a clear policy to guide the integration of traditional leaders in the governance of the country.

VIII. Conclusions and recommendations

38. **African countries have engaged in far-reaching commitments at the national, regional and global levels. At national levels, although a number of countries are still bogged down by conflict, violence and unstable regimes, many have made and adopted long-term visions for the effective development of their people. At the regional level, the Africa Union and its New Partnership for Africa's Development (NEPAD) represent renewed hope for a more favourable place in the global arena of development in the twenty-first century. At the global level, African countries joined the rest of the world in adopting the Millennium Development Goals. These commitments cannot be achieved on the African continent if the Governments do not strengthen the institutions of governance and public administration to make them effective in championing the requisite strategic actions for translating the commitments into outcomes. Institutions of governance and public administration are supposed to exist for serving the public. They stand a chance of doing this when they ensure the participation of the very people they are set to serve. The present report has emphasized the critical necessity of strengthening institutions of governance and public administration in the African countries. Below are specific recommendations to the Governments of African countries, to the United Nations Secretariat and to the Economic and Social Council:**

Recommendations

Recommendations to the Governments of African countries:

- **Adopt and implement the governance and public administration programme of the New Partnership for Africa's Development**

- **Implement the Charter for the Public Service in Africa**
- **Adopt methods, processes, systems and procedures of work (planning, monitoring, evaluation) that involve and engage the people**
- **Strengthen the legislatures, including the Africa Parliament, to enhance the checks and balances that are necessary for the development of democratic governance and the rule of law on the African continent**
- **Depoliticize the public service to make it more neutral, permanent and professional**
- **Strengthen the judiciary to ensure predictability and peaceful resolution of conflicts and disputes, especially in matters of industry, commerce and international business.**

Recommendations to the Secretariat of the United Nations:

- **Continue to provide substantive technical and advisory support to African States on request so that they can strengthen the institutions of the public service, including those at regional levels**
- **Enhance the provision of technical and advisory support to the NEPAD secretariat to implement the Africa Governance and Public Administration adopted by the Pan-African Meeting of Ministers in Cape Town, South Africa, in May 2003**
- **Provide technical and advisory support to African Governments to enable them to implement the Charter for the Public Service in Africa**
- **Support governance and public administration research in African countries that would help to articulate the relevancy and application of traditional institutions and practices to public administration within the context of globalization and regional integration.**

Recommendations to the Economic and Social Council:

The Economic and Social Council may wish to recommend that Member States increase financial, material and technical support to African countries to strengthen institutions of governance and public administration at national and regional levels.

Notes

[1] For example, Rwanda and Uganda.

[2] As an act of steering a people's socio-politico-economic development, governance is a multifaceted compound situation of institutions, systems, structures, processes, procedures, practices, relationships and leadership behaviour in the exercise of social, political, economic and managerial/administrative authority in the running of public or private affairs. Good governance is the exercise of this authority with the participation, interest and livelihood of the governed as the driving force (quoted from Kauzya, John-Mary, "Local Governance Capacity-Building for Full-Range Participation: Concepts, Frameworks and Experiences in African Countries", Global Forum on Re-inventing Government, Marrakesh, Morocco, December 2002).

[3] G. R. Mutahaba, R. Baguma and M. S. Halfani, *Vitalizing African Public Administration for Recovery and Development*, with the United Nations, Kumarian Press, 1994 (published in cooperation with the United Nations).

[4] See United Nations publication, Sales No. E.01.II.H.2, Department of Economic and Social Affairs: *World Public Sector Report 2001: Globalization and the State*, New York, 2001, p. 47.

[5] Ibid., p. 48.

[6] Third United Nations Conference on the Least Developed Countries, Session on Governance, Peace and Social Stability, 14 May 2001.